

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

Case No.: 3:22-cv-00465-MMD-CSD

DANIEL RIGGS,

Plaintiff

v.

STEVE SISOLAK, et al.,

Defendants

Order

Re: ECF No. 17

Before the court is Plaintiff's motion for reconsideration of this court's order at ECF No. 16. (ECF No. 17.)

On March 9, 2023, the court directed the Office of the Attorney General (OAG) to file a notice indicating whether it would enter a limited notice of appearance to respond to Plaintiff's motion for appointment of counsel and motion for appointment of guardian ad litem, and if so, to file responses to these motions and file the relevant medical and/or mental health records under seal. (ECF No. 12.) On March 23, 2023, the OAG filed a response to the motion for appointment of counsel, but it does not address the motion for appointment of a guardian ad litem. (ECF No. 13.) Nor were any relevant medical and/or mental health records filed under seal.

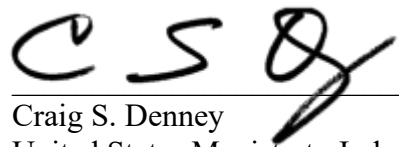
On March 30, 2023, the court issued an order directing the OAG to file a response addressing Plaintiff's motion for appointment of guardian ad litem and to file any relevant medical and/or mental health records under seal by April 10, 2023. The court gave Plaintiff until April 17, 2023, to file his reply. After the briefing is complete, the court noted it would schedule this matter for a hearing. (ECF No. 16.)

1 On April 4, 2023, Plaintiff filed a motion for reconsideration of the court's March 30,
2 2023, order insofar as Plaintiff wants the court to order the OAG to mail Plaintiff copies of any
3 records filed under seal and to order NDOC to allow Plaintiff to possess these records. In
4 addition, he asks that the court give him seven days from the date he receives copies of the
5 records to file his reply. (ECF No. 17.)

6 Plaintiff's motion for reconsideration (ECF No. 17) is **GRANTED IN PART AND**
7 **DENIED IN PART**. NDOC regulations do not permit Plaintiff to possess his medical records in
8 his cell, and the court will not order them to do so. The court will, however, require the OAG to
9 ensure that Plaintiff is provided with sufficient opportunity to review those records it submits
10 under seal in support of its response to the motion for appointment of guardian ad litem **on or**
11 **before April 17, 2023**. Plaintiff should send a note to the warden with a copy of this Order to
12 facilitate that review. Plaintiff may take notes about the records, but he is not permitted to
13 possess them in his cell. If the OAG perceives any issue with Plaintiff reviewing any of his
14 mental health records that are filed under seal, it must immediately file a notice with the court.
15 Otherwise, Plaintiff has until **April 26, 2023** to file his reply brief.

16 **IT IS SO ORDERED.**

17 Dated: April 5, 2023

18 
19 Craig S. Denney
20 United States Magistrate Judge
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